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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/511,424

05/12/2005

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EXAMINER

DIAZ, JOSE

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/511,424	Applicant(s) BHAGWAT, RAMACHANDRA SHRIKRISHNA	
	Examiner JOSE M. DIAZ	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/15/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- a. A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Endo (4622486)**, in view of **Okano (4864183)**.

Regarding **claim 1**, Endo clearly show and disclose an incandescent lamp which comprises in combination, a single ended capsule (10) having a press seal (pinch-seal portion 10a) (col. 3, line 5) thereof, one or more filaments (11) located inside the capsule (10) (col. 2, lines 18-19), current connection leads (61) extending from the press seal (10a); an adapter means (52) with an elevated or stepped up portion having a slit through the elevated or stepped up portion thereof for receiving the press seal portion (10a) of the capsule (10); an adjustment collar (mounting base 56) having a flat surface and downwardly extending sidewalls (60), the adapter means (52) being weldably mounted on the adjustment collar (56), the adjustment collar (56) having an opening (58) for receiving at least a part of the press seal portion (10a) and current connection leads (61), a socket means (16) closed at one end with an insulated material (synthetic resin 68, col. 4, lines 18-19) in which the electrical connection leads (61+62) are embedded, the open upper portion of the socket means (16) receiving the adjustment collar (56) in a snug yet adjustable manner; one or more weld means (42) for weldably connecting the socket means (16) to the adjustment collar (56) and a pair of connection prongs (66) extending

outwardly and downwardly from the insulating material (68) (figs. 1-2, col. 3, lines 38-43, and 47-50 and col. 4, line 14).

Endos' mounting base (56) exemplifies sidewalls extending upwardly, instead of sidewalls extending downwardly as recited in the claim. However, It is considered within the capabilities of a person of ordinary skills in the art to modify the upwardly configuration of Endo into a downwardly configuration as an obvious matter of design engineering, since both configurations are considered structural equivalents.

Regarding **claim 2**, Endo clearly shows and discloses the claim invention, in addition, Endo clearly disclose that the press seal means (10a) has two flat surfaces with at least a locking projection (15) extending outwardly from each flat surface (fig. 7, col. 5, lines 20-22).

However, Endo fails to exemplify in the corresponding that the elevated portion of the adapter means having has locking flap means extending downwardly into the slit thereof so that when the capsule is pushed into the adapter means, the locking projections lock with the locking flaps so that the capsule is held by the adapter means without any play.

Meanwhile, in another embodiment Endo exemplify that the adapter means (supporting portion 52) with locking flaps (anchoring pieces 54) (fig. 3, col. 3, lines 13-19). Endo teaches structural equivalent structures; therefor one skilled in the art would have been motivated to combine equivalent elements of one embodiment within the structure of another embodiment.

Regarding **claim 3**, Endo clearly shows and discloses the claim invention.

However, Endo fails to disclose that the vertical weld means comprises of a plurality of upwardly projecting lugs, the lugs being welded to the adjustable collar after the adjustable collar is positioned inside the socket means at a position of optimum focus.

In the same field of endeavor, Okano clearly show and disclose a vertical weld means comprising of a plurality of upwardly projecting lugs (32), the lugs (32) being welded to the adjustable collar after the adjustable collar is positioned inside the socket means at a position of optimum focus (figs. 1-2, col. 6, 29-31), in order to securely engage the bulb base.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a plurality of upwardly projecting lugs as taught by Okano in the device of Endo, in order to securely engage the bulb base.

Regarding **claim 4**, Endo clearly show and disclose that the vertical weld means (42) comprise the inner vertical walls of the socket (16), said vertical walls being weld connected to said adjustable collar (56) (fig. 1, col. 3, lines 47-50).

Regarding **claim 6**, Endo clearly show and disclose that the adapter means (52) has a flat surface (53) below said elevated portion and said adjustable collar (56) has a flat surface surrounding said opening (58), said adapter means (52) and said adjustable collar (56) being weld connected to each other by means of their respective flat surfaces (fig. 2, col. 3, lines 38-39).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over, **Endo (4622486)**, and **Okano (4864183)**, in further view of **Devir et al. (5041955)**.

Regarding **claim 5**, Endo clearly shows and discloses the claim invention.

However, Endo fails to exemplify that said vertical weld means comprise the outer vertical walls of the socket, said vertical walls being weld connected to said adjustable collar.

However, it is considered within the capabilities of a person of ordinary skills in the art to modify the vertical weld means configuration of Endo into a outer vertical walls configuration as an obvious matter of design engineering, since both configurations are considered structural equivalents, as evidenced by Devir on figures 4 and 5 where the collar (28) is located ether inner or outer vertical walls of the socket.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSE M. DIAZ whose telephone number is (571)272-9822. The examiner can normally be reached on 7:00 - 5:00 EST Monday-Thursday; Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2879

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter J Macchiarolo/
for José M. Díaz, Examiner of Art Unit 2879

JMD